

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: March 14, 2016

Item: Microsoft Alluvion, 550 SE White Crane Road – Approval to allow two additional temporary tents – Turner Construction Company – MaM-003019-2016

Requested Action: Approval of Major Modification to Site Plan

Case Advisor: Lynne Twedt 

Applicant's Request: The applicant, Turner Construction Company, with approval of the property owner, Microsoft Corporation, is requesting approval of a Major Modification to allow the installation of two (2) 110'x 60' tents during construction of phases 2, 3, and 4 of the Microsoft Alluvion project. The tents are intended to provide a place for employee breaks and lunches and/or for the assembly of electrical components that are then installed within the data server buildings. Although temporary, both tents are intended to remain on site throughout the construction of the Alluvion site which will take multiple years to complete (estimated as until summer 2018). Additionally, existing previously approved tents and storm shelter structures will be relocated within the site to bring them into proximity with these phases of construction.

History: The subject site was annexed into the City as part of the Iowa 5 Annexation which was approved by the City Council in June, 2002. Microsoft received approval of a Site Plan that allowed the installation of site infrastructure and building footings and foundations on August 25, 2014, and approval of the full site plan for the Alluvion project at the September 8, 2014 meeting. A Plat-of-Survey was approved for the property on September 22, 2014 to allow transfer of a portion of the Alluvion site to MidAmerican Energy to allow construction of the Willow Creek Substation. The Preliminary and Final Plat to subdivide the property into lots reflective of the anticipated construction phasing was approved by the City Council on December 1, 2014 and January 12, 2015 respectively. On December 1, 2014, the City Council also approved the placement of two tents and storm shelter structures within the site. On July 1, 2015, the City Council approved construction of Phase 2 (DSM06) to add 4 additional data server buildings. On March 7, 2016, the City Council approved construction of Phase 3 (DSM08) and Phase 4 (DSM07) to add 8 server buildings between the two phases.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on March 7, 2016, as an informational item only. No disagreement with the proposal was expressed.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would note the following:

- **Temporary Use Permit – Tents:** Title 9, Chapter 16 governs temporary uses. Construction yards, offices sheds, and trailers are identified as a use eligible for a Temporary Use Permit. Tents and canopies referred to in Chapter 16 are indicated as 'for promotional and recreational functions'. The proposed tents for the Microsoft Alluvion site, although temporary, were determined to not meet the intent of the Temporary Use Permit guidelines, but rather should be considered as ancillary structures related to construction/development of the site. Under this premise, this Major Modification to the approved Microsoft Alluvion Site Plan (DSM05) is being presented for consideration to allow the addition of two tents and relocation of one tent and seven storm shelter structures within the site and to allow them to remain throughout the duration of construction.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.

2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Major Modification to allow the implementation of two additional temporary tents and relocation of existing tents and storm shelter structures within the site, subject to the applicant meeting all City Code requirements and the following:

1. The City Council granting the applicant approval to leave the temporary tent and storm shelter structures erected throughout the duration of the construction of the Microsoft Alluvion project;
2. The applicant providing the appropriate revised Storm Water Management Plan (SWMP) or compliance letter to the City prior to installation of the tents and relocation of any existing structures;
3. The applicant obtaining Tent Permits from the City's Fire Marshal's Office prior to installation and requesting all necessary inspections as the structures are installed. Additionally, the applicant agreeing to provide all safety measures within the tents and storm shelter structures determined to be necessary by the City's Fire Marshal; and,
4. The applicant agreeing that both the tents and storm structures shall be removed within sixty (60) days upon completion of the Microsoft Alluvion site development. Additionally, the tents shall be removed from the site should construction activities on site cease for a period of six months.

Current Property Owner: Microsoft Corporation
One Microsoft Way
Redmond, WA 98052-6399
Attn: Dan McDermit
damcderm@microsoft.com

Applicant's Representatives: Turner Construction Company
3590 SE Soteria Ave
West Des Moines, IA 50265
Attn: Jim Mansfield
jmansfield@tcco.com

Applicant's Engineer: PACLAND
11400 SE 8th Street, Suite 345
Bellevue, WA 98004
Attn: Steve Pesce
spesce@pacland.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Location Map

RESOLUTION NO. PZC

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES,
RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A MAJOR MODIFICATION
TO THE MICROSOFT ALLUVION (DSM05) SITE PLAN TO ALLOW THE
INSTALLATION OF TWO ADDITIONAL TEMPORARY TENTS**

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant Turner Construction Company, in cooperation with the property owner, Microsoft Corporation have requested approval for a Major Modification to Site Plan (MaM-003019-2016) for that site located at 550 SE White Crane Road to allow the implementation of two (2) additional temporary tents (100x60') and relocation of previously approved tents and storm shelter structures;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on March 14, 2016, this Commission held a duly-noticed public meeting to consider the applications for Major Modification to Site Plan (MaM-003019-2016);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated March 14, 2016, or as amended orally at the Plan and Zoning Commission meeting of March 14, 2016, are adopted.

SECTION 2. MAJOR MODIFICATION (MaM-003019-2016) to implement two additional temporary tents and relocate existing tents and storm shelter structures is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated March 14, 2016, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on March 14, 2016.

Craig Erickson, Chairperson
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on March 14, 2016, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

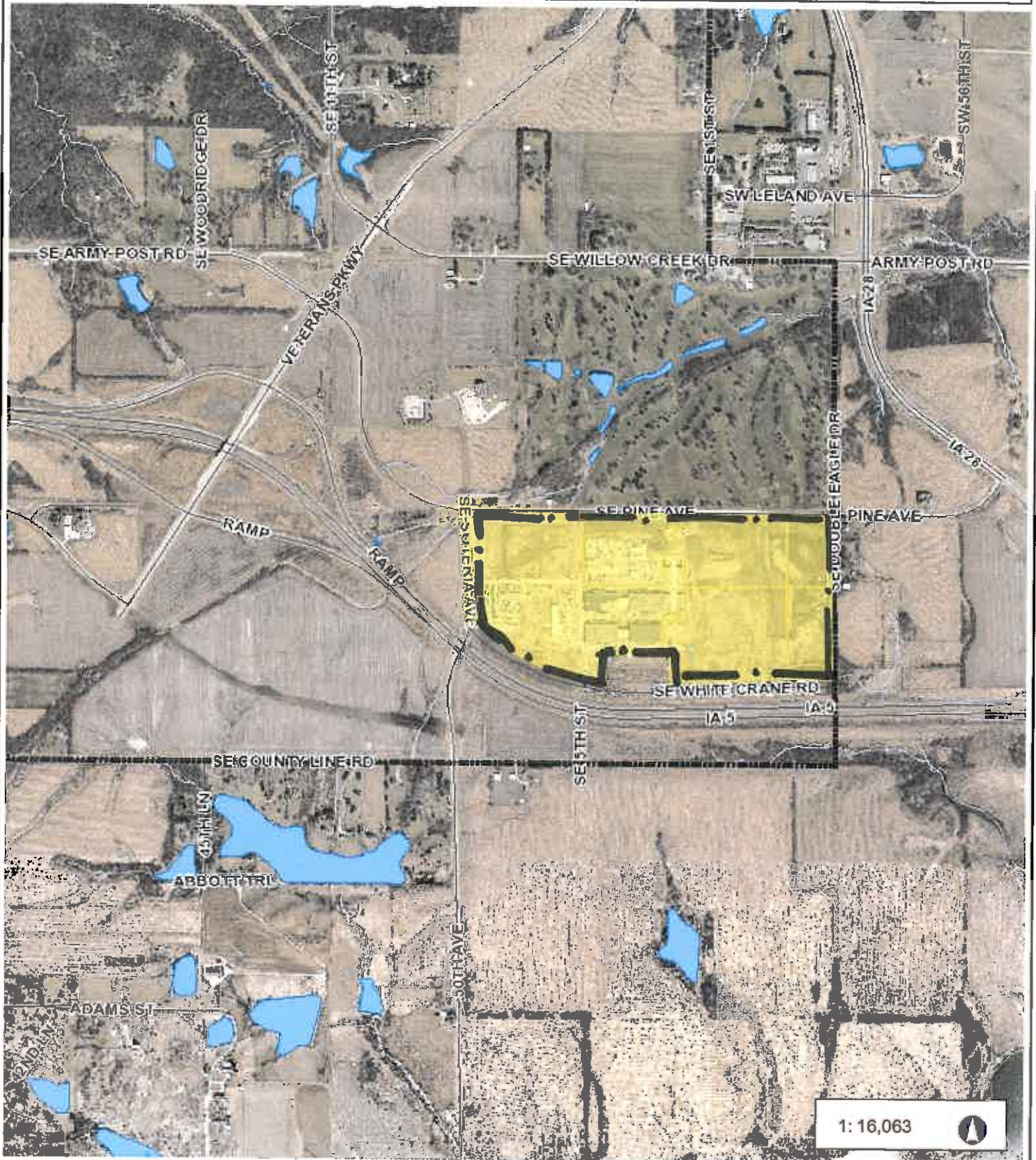
Recording Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

1. The City Council granting the applicant approval to leave the temporary tent and storm shelter structures erected throughout the duration of the construction of the Microsoft Alluvion project;
2. The applicant providing the appropriate revised Storm Water Management Plan (SWMP) or compliance letter to the City prior to installation of the tents and relocation of any existing structures;
3. The applicant obtaining Tent Permits from the City's Fire Marshal's Office prior to installation and requesting all necessary inspections as the structures are installed. Additionally, the applicant agreeing to provide all safety measures within the tents and storm shelter structures determined to be necessary by the City's Fire Marshal; and,
4. The applicant agreeing that both the tents and storm structures shall be removed within sixty (60) days upon completion of the Microsoft Alluvion site development. Additionally, the tents shall be removed from the site should construction activities on site cease for a period of six months.



My Map



1: 16,063



2,677.2 0 1,338.61 2,677.2 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
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Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION